

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GABRIEL PEEPLES,

Plaintiff

v.

Civil Action No. _____

CLINICAL & SUPPORT OPTIONS, INC.,

Defendant

**PLAINTIFF GABRIEL PEEPLES' MOTION
FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Plaintiff Gabriel Peeples (“Plaintiff”/”Peeples”/”they”), by counsel, hereby moves this Court pursuant to Fed. R. Civ. P. 65(a) and (b) for an injunction ordering Defendant Clinical & Support Options, Inc. (“CSO”) to grant Peeples the reasonable accommodation of continuing to telework, and thereby avoid the increased COVID-19 risks associated with Peeples’ disability of asthma that Peeples will incur if required to work in CSO’s physical office.

The grounds for this motion are set forth fully in the accompanying memorandum of points and authorities, which is incorporated herein by reference.

Dated: September 3, 2020

THE PLAINTIFF
By their attorney,



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REQUEST FOR ORAL ARGUMENT

Plaintiff Gabriel Peeples requests a hearing on this motion pursuant to Local Rule 7.1(d). Peeples requests that the Court conduct the hearing by video, and that the hearing be scheduled for Friday, September 4, 2020. Plaintiff requests a video hearing because, as explained in the memorandum supporting this motion, Plaintiff's disability, asthma, subjects Plaintiff to increased COVID-19 related risks, making it essential that Plaintiff avoid all unnecessary public interactions.

In further support of this request, Peeples relies on the United States District Court for the District of Massachusetts' General Order entitled "Supplemental Order Concerning Certain Non-Jury Proceedings," stating it would resume in-person non-jury proceedings only in "limited circumstances: where (1) further delay may harm the interests of justice and (2) the law does not permit video proceedings or the requisite consents cannot be obtained. Proceedings should be conducted by video in all other instances." General Order 20-31, July 15, 2020, available at <https://www.mad.uscourts.gov/general/pdf/announce/GeneralOrder20-31-Coronavirus-OrderreIn-PersonNon-JuryProceedings.pdf>.



Douglas B. Mishkin

CERTIFICATION OF MAILING AND NOTICE OF MOTION

I certify and swear under the pains and penalties of perjury that I am an attorney for the plaintiff, above the age of eighteen years old, and on September 3, 2020 at 10:15AM I served by email a true copy of the above Motion for a Temporary Restraining Order and Preliminary Injunction and Proposed Order and accompanying memorandum of law upon counsel for the Defendant's Attorney Timothy Murphy, Skoler, Abbott & Presser, PC, via email at tmurphy@skoler-abbott.com

•Respectfully, •



Dated: September 3, 2020

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(Application forthcoming)